

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MACEY E. TURLEY, JR.,

Plaintiff,

v.

ELMANTE,

Defendant.

Case No.: 1:23-cv-00596-CDB (PC)

**ORDER REFERRING CASE TO POST-
SCREENING ADR AND STAYING CASE
FOR 90 DAYS**

45-DAY DEADLINE

Plaintiff Macey E. Turley, Jr. (“Plaintiff”) is a state prisoner proceeding pro se and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. (Docs. 1, 7). As set forth in its screening order, the Court has found that Plaintiff states at least one cognizable claim for relief. (Doc. 11). On March 9, 2024, Defendant filed an answer to Plaintiff’s complaint. (Doc. 17).

The Court refers all civil rights cases filed by pro se inmates to Alternative Dispute Resolution (ADR) to attempt to resolve such cases more expeditiously and less expensively. In appropriate cases, defense counsel from the California Attorney General’s Office have agreed to participate in ADR. No claims, defenses, or objections are waived by the parties’ participation.

The Court, therefore, STAYS this action for 90 days to allow the parties to investigate Plaintiff’s claims, meet and confer, and participate in early settlement conference. The Court presumes that all post-screening civil rights cases assigned to the undersigned will proceed to a

1 settlement conference. However, if, after investigating Plaintiff's claims and meeting and
2 conferring, either party finds that a settlement conference would be a waste of resources, the party
3 may opt out of the early settlement conference. Accordingly, the Court HEREBY ORDERS:

- 4 1. This action is **STAYED for 90 days** to allow the parties an opportunity to settle their
5 dispute before the discovery process begins. No pleadings or motions may be filed in
6 this case during the stay. The parties shall not engage in formal discovery, but they
7 may engage in informal discovery to prepare for the settlement conference.
- 8 2. **Within 45 days** from the date of this order, the parties SHALL file the attached
9 notice, indicating their agreement to proceed to an early settlement conference on their
10 belief that settlement is not achievable at this time.
- 11 3. **Within 60 days** from the date of this order, the assigned Deputy Attorney General
12 Shall contact the undersigned's Courtroom Deputy Clerk at shall@caed.uscourts.gov
13 to schedule the settlement conference, assuming the parties agree to participate in an
14 early settlement conference.
- 15 4. If the parties reach a settlement during the stay of this action, they SHALL file a
16 Notice of Settlement as required by Local Rule 160.
- 17 5. The Clerk of the Court SHALL serve via email copies of Plaintiff's complaint (Doc.
18 1), the Court's screening order (Doc. 11), and this order to Supervising Deputy
19 Attorney General Lawrence Bragg (Lawrence.Bragg@doj.ca.gov), and a copy of this
20 Order to ADR Coordinator Sujean Park.
- 21 6. The parties are obligated to keep the Court informed of their current addresses during
22 the stay and the pendency of this action. Changes of address must be reported
23 promptly in a Notice of Change of Address. *See* L.R. 182(f).

24 IT IS SO ORDERED.

25 Dated: **April 10, 2024**

26 
27 UNITED STATES MAGISTRATE JUDGE
28

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NOTICE REGARDING EARLY
SETTLEMENT CONFERENCE

1. The party or counsel agrees that an early settlement conference would be productive and wishes to engage in an early settlement conference.

Yes _____ No _____

2. Plaintiff (check one):

_____ would like to participate in the settlement conference in person.

_____ would like to participate in the settlement conference by telephone or video conference.

Dated:

Plaintiff or Counsel for Defendant